

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

PAUPER PETITION NO.7 OF 1968

IN

SUIT NO.59 OF 1970

Vasant Dattatray Apte.

.... Plaintiff

V/s.

Janki w/o Laxman Narayan Apte

& Ors.

.... Defendant

Mr. Sharad Chitnis alongwith Jaydeep Shringare i/b. Chitnis Vaithy & Co.,
Advocate fore Plaintiff.

Mr.Arun R. Apte, Defendant No.2(d), present in person.

Mr.Suresh Apte, Defendant No.10 present in person.

Mr.Abhay Balkrishna Apte,son of Mr.Balkrishna Apte,Defendant No. 1(f),
present in person.

Mr.Makarand Narayan Apte,son of Mr.Narayan Apte, Defendant No. 1(c),
present in person.

Coram : K.K. Trivedi

Commissioner for Taking Accounts

Date : 29th July, 2016.

CALLED FOR DIRECTIONS:

In this matter, office directions were given on 1st July, 2016.
Accordingly, notice were required to be issued to 78 Defendants.

The Ld. Advocate appearing for Plaintiff submits that out of 78
Defendants, 69 Defendants have been served and given their written
consent. The consent letter of each and every Defendants are tendered
before me.

I have perused those consent letters/affidavits. However, some of
Defendants have signed in Marathi as well as the same are not identified by

...2/-

Advocate, nor affirmed, as also it does not show their PAN Card Number, Adhaar Card Number.

Advocate for Plaintiff has also tendered affidavit of service dated 28th July, 2016 which is taken on record.

The Ld. Advocate for Plaintiff undertakes to comply with the aforesaid directions and will submit upto date consent letter/affidavit on the next date. Consent letters/Affidavits which are lodged today, therefore, handed over back to the Advocate for Plaintiff.

Advocate for Plaintiff further states that only 9 Defendants have been served, their consent are not there nor they are present. Mr. Suresh S. Apte, Defendant No.10 is present. Defendant No.10 has submitted letter dated 26th July, 2016 to this Office objecting against the sale of the unsold property in this Suit. He prays for 15 days time to engage Advocate.

Advocate for Plaintiff submits that more the delay more there are chances of offerer backing out from the proposed offer given by him.

I have, therefore requested Defendant No.10 that one week's time will be granted to enable him to engage Advocate and to submit his offer or say, if he so desires, he submits that at least 15 days time may be granted.

In view of the aforesaid, matter is adjourned to **12th August, 2016.**

29-07-2016

Commissioner for Taking Accounts